United Nations A/65/171

General Assembly

Distr.: General
26 July 2010
English
Original: Arabic/English/French/
Russian/Spanish

Sixty-fifth session
Item 69 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Globalization and its impact on the full enjoyment of all human rights

Report of the Secretary-General

Summary

The Secretary-General submits the present report in response to General Assembly resolution 64/160, in which the Assembly requested the Secretary-General to seek further the views of Member States and relevant agencies of the United Nations system on the issue of globalization and its impact on the full enjoyment of all human rights, and to submit a substantive report on the subject to the Assembly at its sixty-fifth session. The report summarizes views received from the Governments of Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Colombia, Guatemala, Mauritius, Mexico, Oman, Qatar, the Russian Federation, Serbia and Spain, as well as from the United Nations Development Programme, the World Intellectual Property Organization and the World Trade Organization, and provides recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

* A/65/150.

10-46367 (E) 130810

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I. Introduction

1. In its resolution 64/160, the General Assembly took note of the report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/64/265) and requested the Secretary-General to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the Assembly at its sixty-fifth session a substantive report on the subject based on these views, including recommendations on ways to address the impact of globalization on the full enjoyment of human rights.

2. On 13 April 2010, pursuant to that request, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent a request for views on the issue. As at 12 July 2010, OHCHR had received responses from the Governments of Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Colombia, Guatemala, Mauritius, Mexico, Oman, Qatar, the Russian Federation, Serbia and Spain, and from the United Nations Development Programme (UNDP), the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO).

II. Replies received from Governments

Azerbaijan

[Original: English]
[6 July 2010]

The Government of the Republic of Azerbaijan stated its commitment to achieve the Millennium Development Goals by implementing various projects. The Government put in place the State programme on poverty reduction and economic development for 2003-2005 to achieve the goal of halving the proportion of people living in extreme poverty and hunger. The implementation of this programme led to the maintenance of overall macroeconomic stability, acceptable levels of inflation and exchange rates and dynamic economic growth. Consequently, the poverty level decreased from 46.7 per cent in 2002 to 29.3 per cent in 2005.

In order to continue the positive process of improving the population's welfare and further reducing poverty, the State programme on poverty reduction and sustainable development for 2008-2015 was adopted. The strategic aims of this programme include, among others, sustainable economic growth, broadened income opportunities and the alleviation of poverty; the development of an efficient social protection system; improved living conditions for refugees and internally displaced persons; and equal access to education and health systems. The programme resulted in an increase by 24.6 per cent in budget allocations for social protection and social assistance in 2009.

Azerbaijan referred to the 1 million refugees and internally displaced persons in the country, who make up 12 per cent of the population, and stated that poverty risks among this group were relatively high, since the majority had worked in the agriculture sector and currently faced serious problems with employment. Since 2001, the Government has taken measures to build new settlements and has allocated plots of land for refugees and internally displaced persons, and continues its commitment to improving social protection and reducing poverty.

Bosnia and Herzegovina

[Original: English]
[2 July 2010]

Bosnia and Herzegovina stated that globalization leads to the intensification of social and economic relations across borders, resulting in a more powerful and wider interweaving of global and local processes. Economic globalization encourages discrimination and inequality, leading to a gap between the rich and the poor. Bosnia and Herzegovina pointed out that globalization based on the current global economic model has resulted in the deterioration of economic, social and cultural conditions under which the most vulnerable social groups live, thereby contributing to the growth of poverty and social exclusion. Poverty reduces the ability to enjoy human rights, in particular, the rights to work, to an adequate standard of living, and to housing, food, health and education, and creates marginalized groups and individuals. Therefore, the number of those who can enjoy the positive elements of globalization is smaller.

In order to reduce social exclusion, Bosnia and Herzegovina started the development and adoption of the social inclusion strategy, which will define policies and measures to improve employment and social protection for, and increase the economic and social integration of vulnerable groups. In 2009, Bosnia and Herzegovina adopted a law prohibiting discrimination, in order to protect the human rights of its citizens.

With respect to the environment, Bosnia and Herzegovina is implementing a project with UNDP, which aims at achieving the Millennium Development Goals and sheds light on the relationship between the environment and poverty. Capacity development for better environmental management contributes to poverty reduction and social exclusion. As for education, Bosnia and Herzegovina started a reform with the objective of improving the quality of education at all stages, with special emphasis on the situation of ethnic minorities, returnee students and students in the war-affected regions and rural areas. Moreover, human rights education is integrated in the curricula and forms an integral part of educational standards in primary and secondary schools. Bosnia and Herzegovina also adopted new laws on health care and insurance to reform the health system.

Burkina Faso

[Original: French]
[8 July 2010]

The Government of Burkina Faso stated that globalization was likely to jeopardize the full realization of human rights, if no action was taken to address the issue. The intensification of economic and sociocultural exchanges and rampant industrialization had generated a certain level of economic growth. Nevertheless, the fruits of growth are unequally shared, which leads to a widening of the social divide and tensions that might degenerate into conflicts. Moreover, globalization is at the root of various pernicious effects on human rights, such as an increase in arms-, drugs-, diamonds- and human-trafficking; the development of child pornography; the cultural domination of big powers; environmental pollution; and terrorism.

Discussing the issue of development is of no use when human rights are sacrificed in favour of economic growth. The right to development formulates the conditions without which civil, political, economic, social and cultural rights remain illusory and ineffective. The financial and economic crisis proved that a blind search for an economic boom can ruin years of work in the field of human rights.

Burkina Faso recommended two major orientations that could be put into action. The first is the recognition of human rights norms and principles as the essential legal framework of globalization. The second relates to the extension of the concept of accountability to non-State actors, including transnational corporations and non-governmental organizations, whose activities sometimes have negative effects and are reflected on the global scale.

Colombia

[Original: Spanish]
[9 June 2010]

The Government of Colombia stressed that the construction of a more equitable society had been one of the cornerstones of development policies in the country. As a consequence of the economic crisis of the late 1990s, Colombia saw the need to implement policies that would contribute to an equitable and inclusive society. Since 2002, the Government has aimed to increase the efficiency and better targeting of social expenditure so that resources reach those who need them the most, and to consolidate a social protection system.

In its reply, Colombia referred to the support extended to individuals and communities affected by poverty, drug trafficking and violence through the implementation of a strategy of international cooperation that brings together institutional capacity and solidarity with international actors. The State aims at guaranteeing the effective enjoyment of rights for all displaced persons and victims of violence. Colombia determined the main problems tied to globalization to be the continuation of violence and displacement; the increase in poverty and vulnerability; and environmental and climate change.

With respect to the continuation of violence and displacement, Colombia stated that the forced displacement and violation of the rights of the civilian population resulting from violence were partly fuelled by certain phenomena of the global order, such as trafficking in drugs and illegal arms and the cooperation between illegal armed groups from various regions of the world. To such factors, domestic socio-political conditions of exclusion, inequality and poverty, determined by local and global dynamics, are added. In recognition of this situation, Colombia adopted a series of measures, which were explained in detail in its reply. These measures aimed at reintegrating the displaced into society, mitigating the effects of violence and providing support and reparation to victims of violence and to the displaced for the restoration of their infringed rights.

With regard to the increase in poverty and vulnerability, Colombia's reply summarizes the strategies implemented to fight against these phenomena and their impact on displaced persons and the poor. These policies were maintained and strengthened during the recent global economic crisis, generating a counter-cyclical

social policy. Colombia noted the progress made in poverty reduction, health, education and employment, which shows the success of social programmes.

On the environment and climate change, Colombia referred to various national and international factors negatively affecting biodiversity, and specifically underlined illegal crop planting. The reply by Colombia provides details of the strategies to combat illegal crop planting at the national level. Colombia stated that this phenomenon also needed to be dealt with globally.

Recognizing that the needs of the country require both global and national solutions, Colombia seeks to mobilize efforts for international cooperation, in line with the Paris Declaration on Aid Effectiveness, in relation to the Millennium Development Goals, the fight against drugs, environmental protection, reconciliation and governance. The actions envisaged within the framework of international cooperation include, among others, the strengthening of the social role of the State, the rule of law and human rights; development and peace initiatives; and the reintegration of displaced persons based on their human rights.

Guatemala

[Original: Spanish]
[5 July 2010]

The Government of Guatemala provided detailed information in its reply on policies adopted at both the national and regional levels to create an environment favourable for development and poverty eradication, by means of strategic alliances that promote equitable and ecologically sustainable economic growth. Measures taken at the national level include strategies addressing poverty and chronic malnutrition. The share of social expenditure in public spending increased between 1999 and 2009.

Within the framework of combating poverty and chronic malnutrition, the Government elaborated a social development policy, with a social cohesion strategy aiming at inter-institutional coordination to facilitate State interventions based on geographic and thematic priorities. Geographic priorities are determined according to the level of extreme poverty in municipalities identified in poverty maps. Thematic priorities are identified based on indicators of the social well-being of society, such as, health, nutrition, education, water and sanitation. The main purpose is to achieve a more equitable and inclusive society. While recognizing economic growth as an essential condition in combating poverty, Guatemala stated that poverty eradication depended not only on adequate national macroeconomic policies, but also on global policies through multilateral trading rules and capital flows.

With respect to food security, Guatemala provided information in its reply on the organizational system composed of institutions responsible for guaranteeing food security and agricultural production in the country. This system is also supported by civil society organizations, private initiatives and international cooperation agencies. The national strategy aims to reduce and break the intergenerational circle of chronic malnutrition that affects half of the population. During the food crisis in 2008-2009, complementary nutrition was provided to families with one or more cases of acute malnutrition. The same level of emergency service has been maintained for the year 2010.

Guatemala underlined the importance of regional integration to deal with issues, such as combating poverty, food security, the environment, the economy, migration and natural disasters. Such integration constitutes a development model to overcome the effects of the global economic crisis, by promoting trade; the free movement of goods, services and persons; foreign direct investment; and the growth of small and medium enterprises, which favour more investment and generate employment.

Guatemala highlighted that it was fundamental for the State to support its fellow citizens abroad. Particular attention is given to defending the rights of those who are vulnerable due to the lack of a valid immigration status. In this context, the consulates of Guatemala in certain countries offer free videoconference services that facilitate communication between migrants and their relatives in Guatemala. Another good practice is the assistance provided to Guatemalan migrants who are detained abroad, for various reasons, with regard to legal consultancy and defence.

Mauritius

[Original: English]
[25 June 2010]

The Government of Mauritius stated that it had a strong record of human development, with a human development index of 0.800 according to the Human Development Report 2009. Mauritius had made significant progress towards most of the Millennium Development Goals. The Government provides free and compulsory primary education and universal health care. The proportion of people living in extreme poverty is estimated to be less than 1 per cent, based on household budget surveys and the one dollar a day poverty line of the World Bank. The reply received from Mauritius provides information on the programmes currently being implemented to eradicate poverty and increase opportunities for the poor. A special committee for the eradication of absolute poverty has been set up, which comprises all stakeholders, namely, the public sector, private sector and non-governmental organizations, to look into the specific needs of the poor, provide urgent assistance and lend support to children and the unemployed. Mauritius noted that the private sector was expected to cover 30 per cent of the cost as part of a corporate social responsibility programme.

Mauritius highlighted that one of the most successful achievements regarding the Millennium Development Goals was in the area of universal primary education. This target was attained with an enrolment ratio of nearly 100 per cent in primary education and a literacy rate estimated at 95 per cent for those aged between 15 and 24 years. Mauritius explained that the key driving factors for success included enabling legislation, favourable policy initiatives, budgetary support and infrastructural facilities. The Education Act of 1993 provides that parents have to compulsorily send their children to primary school, failing which they are liable to a fine and imprisonment. From January 2005 onwards, education had become free and compulsory for all up to the age of 16, with the introduction of 11 years of compulsory schooling. The increase in infrastructure facilities and other measures increased access to schools. Moreover, the eradication of absolute poverty programme ensures that all poor children of pre-primary schoolgoing age attend school and are provided with a decent lunch, and their parents are trained to find a

decent job with sustainable income. Notwithstanding the significant progress, the primary education system has certain deficiencies, such as a high dropout rate, a limited curriculum, and the use of a foreign language as a medium of instruction.

As for the promotion of gender equality and the empowerment of women, Mauritius noted that there was no gender disparity in primary, secondary and tertiary education. However, the share of women in paid employment in the non-agricultural sector (36.7 per cent in 2008) and the proportion of seats held by women in Parliament (17.1 per cent in 2009) are still relatively low. Mauritius expressed its concern that the female unemployment rate, which was 12.3 per cent in 2009, is three times higher than that of the male unemployment rate, which was 4.4 per cent in 2009. The economic empowerment programme aims to widen opportunities for women and increase their participation in socio-economic activities.

The reply provided by Mauritius refers to the challenges faced under other aspects of the Millennium Development Goals, such as reducing child mortality, improving maternal health and achieving environmental sustainability. Concerning the latter, the proportion of land area covered by forests has decreased from 30 per cent in 2000 to 25 per cent in 2008. With respect to combating HIV/AIDS, the prevalence rate increased during the period 2000-2009. The Government treats HIV/AIDS as a priority issue and undertakes preventive measures and sensitization campaigns to protect the population at large, with special emphasis on vulnerable groups. Other challenges include the increase in budget deficits and debt due to the financial crisis. A tight fiscal policy to tackle already high public debt would put a strain on public expenditure. Such developments should be guarded against as they may further delay progress towards the Millennium Development Goals.

Mauritius stated that the inherent constraints of being a small island developing State consisted of limited resources, remoteness, small domestic markets and vulnerability to natural disasters. Global shocks such as the food, energy and financial crises have substantially hit the small island developing States. To overcome these challenges, Mauritius suggested the design and introduction of new innovative financing instruments and called upon the international development institutions and international community to be more forthcoming in assisting small island developing States in their efforts to achieve the Millennium Development Goals and better integrate into the global economy. A "one-size-fits-all" approach to development challenges would further marginalize small island developing States, which deserve special treatment and need to be recognized as a group of countries having specificities of their own.

Mexico

[Original: Spanish]
[25 June 2010]

The Government of Mexico stressed that complete openness to international scrutiny, full involvement in the international system of human rights and cooperation with both regional and universal mechanisms had been translated into an invaluable tool to impose internal structural changes. Globalization had the potential to raise income levels in all countries and contribute to the construction of fairer and more equitable societies. However, its benefits had been distributed unequally. The lack of coherence between international trade and financial systems

and between national development strategies and international obligations had contributed to this outcome. The current challenge confronting the international community was to ensure that globalization benefited all and turned into a source of wealth for all. Global prosperity and stability could only be achieved by means of a stronger and more equitable global economy so that developing economies became more resilient and less vulnerable to economic recessions. Mexico pointed out that globalization should be a fair, inclusive and democratically governed process involving a strong social dimension based on universally shared values and respect for human rights and the dignity of all persons.

The reply received from Mexico summarized the social policies implemented to combat poverty and hunger, enhance development of capacities and improve the living standards of the population most in need through equality of opportunity. The achievements in this context had been possible thanks to economic stability, institutional strength and democracy, on the one hand, and the impact of public policies based on sustainable development, on the other. On the international financial and economic crisis, Mexico emphasized the need for regulation and supervision of the main financial centres, instruments and agents, as well as the guarantee that all fiscal jurisdictions and financial centres comply with transparency and regulatory norms. Mexico referred to the measures taken to stimulate economic growth and competitiveness, boost credit growth and guarantee sufficient functioning of financial markets. As for financing for development, Mexico referred to the Doha Declaration on Financing for Development, which had made an urgent call to maintain the commitments for development aid despite global economic uncertainty, and to formulate measures for the integral, effective and timely implementation of the Monterrey Consensus.

Mexico stated that food security was a priority for the international agenda and expressed its disagreement with the concept of food sovereignty. The use of food sovereignty might generate controversy amongst countries, due to the fact that the concept entailed the idea of controlling exports to guarantee domestic supply in view of the global food crisis. The international community had the responsibility to ensure and facilitate access to food at affordable prices within the framework of free trade.

Mexico stated that it gave priority to regional cooperation. There was also a need for complementarity and cooperation among international and regional organizations to avoid the duplication of work and diversion of resources. Mexico stressed the importance of coherence across the international system in making a major impact in developing countries.

Oman

[Original: Arabic]
[1 June 2010]

The Sultanate of Oman stated that the theoretical framework of globalization called for a world without borders and increases in exchanges at the global level. The widespread market economy model involved the free movement of goods, services and capital, on the one hand, and intellectual property protection, on the other. The latter might be an obstacle for technology transfer to developing countries. Oman stressed that the current international economic order was neither equitable nor balanced. Nevertheless, civil and political rights had been strengthened in the era of

globalization, mainly owing to the advancement in information and communications technology. The global network of non-governmental organizations promoting human rights had led to the creation of a global civil society. Oman emphasized the importance of the right to enjoy one's culture, language and religion. In this context, attention was drawn to the imbalance between the capacities of countries to produce and disseminate their culture, which may be considered as a threat to national cultural identity, thereby preventing the enjoyment of cultural rights.

Referring to widespread poverty, the Sultanate highlighted that despite the benefits expected from globalization, development processes failed to deliver outcomes in developing countries. In the view of Oman, globalization subjected human values and rights to market exigencies and contributed to the deterioration of public health systems, the increase in unemployment, the privatization of public and common goods, the exploitation of women, the expansion of export-oriented agricultural production at the expense of local needs, the promotion of genetically modified organisms and led to labour market reforms that usually diminished job security and social protection.

In order to mitigate the adverse effects of globalization on human rights, Oman called for the international community to promote and protect human rights, while recognizing cultural diversity and encouraging tolerance among cultures. Coherence between national and international approaches to the creation of an environment conducive to development should be ensured to achieve economic and social development. Oman stressed the importance of appropriate strategies to combat poverty and hunger, to ensure equitable income distribution, free access to education and health, the prevention of the exploitation of women and the protection of their rights, and the preservation of moral values. The Sultanate pointed to the need to review and question the current international system to ensure respect for the interests of all. Oman concluded that a new approach to human rights had become necessary in the light of the global challenges posed by actions of both State and non-State actors.

Qatar

[Original: Arabic]
[17 June 2010]

The contribution of Qatar reflects the views of the National Human Rights Committee, which is the competent authority for human rights issues. The Committee referred to the exclusiveness of the global decision-making processes and its impact on the enjoyment of human rights, poverty reduction, social structures and national identities. The Committee stated that the negative impacts of globalization on the enjoyment of human rights could be seen in various areas. One such effect relates to the activities of those transnational corporations that seek low-cost labour throughout the globe, without ensuring decent working conditions, including the use of child labour. The recent financial crisis, which had occurred as a consequence of economic globalization related to the banking systems, as well as trade and capital flows, had hampered development efforts and thus severely affected the realization of the Millennium Development Goals, particularly poverty eradication. The Committee stated further that the unequal distribution of the benefits of globalization, at both local and international levels, had contributed to

the emergence of extremist groups. Social and cultural globalization had also had a negative impact on local cultural identity, by spreading different consumption patterns at the expense of domestic moral values, particularly among the younger generation.

The Committee suggested that, in the economic context, it was essential to enable developing countries to better take advantage of their human resources, particularly the young population, through the promotion of poverty eradication programmes at the local, national and global levels. Moreover, there is a need to review the ethical principles relating to the regulation of the banking system. The Committee emphasized the significance of policies that ensure investment in the agricultural sector in developing countries as an alternative to investment in the construction industry. It encouraged the establishment of trade unions and workers' organizations in countries where they are still non-existent. There was a need to change consumption patterns, particularly in petroleum producing countries, through progressive taxation targeting specific goods in accordance with health and environmental standards.

In the political context, the Committee stressed that advocacy for a democratic approach would require respect for all human rights, including the right of all peoples to full sovereignty over their natural resources, and highlighted the principles of integrity, impartiality and objectivity within the United Nations system. In the social context, the Committee stressed the need for an effective civil society, in developing countries, to counteract the negative impacts of globalization. It also underlined the need for reform of national legislations to ensure social justice.

With respect to the cultural context, the Committee stressed the importance of national languages in tackling the negative effects of globalization on local cultures. In this context, the integration of national languages in all education phases is crucial. The National Human Rights Committee underscored the significance of the full observance of the freedom of opinion and expression in preventing the cultural dominance of certain groups over others.

Russian Federation

[Original: Russian]
[20 May 2010]

The Government of the Russian Federation stated that one of the negative effects of globalization was the growth in economic and social inequalities and the deepening divide between countries, based on the level of development, resulting in extreme poverty. This often led to an upsurge in intolerance and to demands for a more just division of resources between developed and developing States. Extreme poverty represented a serious threat to human rights. The Russian Federation had made coordinated efforts to reduce poverty both within and outside the country. At the national level, measures had been taken to increase the funding for social development, incomes and the effectiveness of State assistance to those in need, and to improve the pension system.

Besides its advantages, globalization also had disadvantages, one of which was the global dimension of market fluctuations that previously remained within national frontiers. The recent food price hikes was a good example. The increase in food prices may have negatively affected economic development, security and

respect for human rights on the global scale. In this respect, the Russian Federation referred to the threat of "hungry globalization" and highlighted the need to make globalization more controlled and thus more just.

The Russian Federation stated that globalization had resulted in the strengthening of the influence, within States and in the international arena, of large non-State actors, namely, global networks, transnational corporations, associations and groups, including those engaged in terror. The Russian Federation pointed out that there were currently a tendency towards the development of non-State actors as independent participants in international relations who, in many cases, were assuming functions that were previously the exclusive preserve of the State. Non-State actors, including transnational corporations, were not held accountable to States and their people, especially if States, where the non-State actors operated, were not capable of preventing unlawful activities, due to various factors, such as economic and financial weakness or corruption. In such cases, it was possible to talk about the erosion of State sovereignty and the impossibility of invoking the effective protection of existing human rights standards. In this context, the operations of non-State actors may lead to large-scale human rights violations. The Russian Federation emphasized the need to further elaborate on the question of the transfer of State functions to non-State actors, and of the recognition of liability by non-State actors for human rights violations they committed.

The Russian Federation stated that globalization facilitated the interaction between different cultures and noted that cultural diversity should be respected as a condition of human dignity, while promoting and protecting human rights. The interaction between cultures should not be replaced by the imposition of a unique system of values. The Russian Federation stressed that one way to achieve universal respect for human rights was a more profound understanding of the traditional values of mankind.

Serbia

[Original: English]
[22 June 2010]

Serbia stated that poverty and social exclusion were among the greatest challenges faced by the country. These problems had reversed all efforts for social developments, as the benefits were not shared equally by all. To respond to these challenges, Serbia had adopted the national strategy on sustainable development, which aimed at establishing a balance between the three key factors, namely, sustainable economic and technological development, sustainable social development and environmental protection accompanied by the rational use of natural resources.

The strategic objectives of Serbia in the field of human and minority rights and gender equality included the harmonization of the national legislation with European standards and the establishment of institutional mechanisms for exercising guaranteed rights; the balancing and equalization of the socio-economic standards of living of certain minority communities, primarily the Roma community, with that of the majority Serbian population; the achievement of a proportional participation by members of minorities in the judiciary, prosecutors' offices, police, army and local self-government; the reduction of the social distance between minorities and the majority Serbian population; and the improvement of the situation of persons with disabilities.

With respect to human rights, Serbia stressed its commitment to continuing the reform processes and clearly defining competencies for the implementation of obligations resulting from international conventions and standards. It further emphasized the need to develop a system of efficient reporting and supervision over the implementation of measures in the area of minority and human rights.

Spain

[Original: Spanish]
[11 June 2010]

Spain expressed its concern about the negative effects of growing global difficulties in the area of food and energy, as well as the effect of climate change on economic and social development and on the full enjoyment of all human rights by all. Spain underlined national awareness of the risks entailed by climate change, and consequently, of the responsibility, shared with the rest of the international community, of maintaining living conditions throughout the planet. Responsibility in this field could only be assumed by way of global decision-making, given the global dimension of the phenomenon.

Furthermore, any initiative should be compatible with the legitimate aspirations of the poorest to improve the conditions of their well-being, and with the right to development. Spain referred to the close link between the fight against climate change and the possibility of reaching the Millennium Development Goals. Only through adequate policies addressing global warming could progress be made towards the achievement of other objectives, such as universal access to energy or drinking water. Spain emphasized its full support for the reference, in General Assembly resolution 64/160, to concerns about the consequences of climate change and to the need to promote equitable and environmentally sustainable economic growth.

III. Replies received from United Nations organizations

United Nations Development Programme

3. Human development, with its focus on the expansion and use of institutional and human capabilities, provided the essential context for the work of UNDP towards making globalization work for people and their enjoyment of all human rights. A particularly significant characteristic of the Universal Declaration of Human Rights is reflected in the UNDP vision. Civil and political rights are as critical for the dignity of life as are economic, social and cultural rights. Poverty is a multidimensional phenomenon, which involves not only income deprivation but also lack of access to services, including education and health care. When human development and human rights advance together, they reinforce one another, expanding people's capabilities and protecting their rights and fundamental freedoms.

4. UNDP welcomed the reaffirmation in General Assembly resolution 64/160, of the commitment to creating an environment conducive to development and poverty elimination at both the national and global levels. This commitment was reflected in UNDP activities in a number of areas, inter alia, governance, inclusive development, inclusive globalization, access to energy and enhanced capacities to cope with

climate change, and migration and development, with the view to promoting fair globalization, sustainable development and democratized global economic governance.

5. As for democratic governance, human rights formed the backdrop of the UNDP governance programme, which drew attention to accountability for the delivery of development benefits to all people and lends legal and moral legitimacy, as well as a sense of social justice, to human development objectives. This mandate was further legitimized by the commitment of Governments to internationally agreed norms, such as the 1986 Declaration on the Right to Development and the Millennium Declaration, which implicitly referred to democracy and good governance. A democratic governance approach fosters participation and accountability focusing on the rights and needs of the most deprived and marginalized.

6. UNDP implemented its human rights for development approach in over 100 countries by providing policy advice, technical support, capacity development and knowledge management. The Programme supported countries' efforts to integrate human rights principles, such as non-discrimination, participation and accountability, into poverty and development frameworks and to strengthen the promotion and protection of human rights. Within the framework of its inclusive development approach, it ensured the engagement of indigenous peoples and the strengthening of the role of marginalized minorities in development. UNDP supported civil society in monitoring public policies and programmes. Its work in democratic governance further included strengthening national capacities and institutions to implement anti-corruption initiatives. UNDP promoted accessible, fair and informal justice systems for all, with a focus on enabling the poor and marginalized to seek and obtain remedies.

7. On inclusive globalization, UNDP supported the efforts of developing countries to leverage the potential of globalization to fight poverty and improve the standard of living. While globalization had the potential to advance human development by creating jobs and by enabling developing countries to access new technologies, it had not increased incomes as quickly as had been expected, in the majority of developing countries. In particular, vulnerabilities were uncovered by the recent global economic and financial crisis. To maximize the benefits of globalization, UNDP worked to enhance understanding of how developing countries are affected by the policies of the international community in areas such as financial resource flows and international trade. This included strengthening capacities to negotiate and manage development finance and increasing competitiveness and human development benefits of trade.

8. In this respect, UNDP encouraged trade capacity-building, by supporting country programmes and working closely with developing countries, development partners, agencies and international financial institutions, including regional banks, in the Aid for Trade Initiative and the Enhanced Integrated Framework for Trade-related Technical Assistance to Least Developed Countries. UNDP also conducted country-specific and global policy-related research on ways of improving access to sustainable finance for development as well as on debt sustainability and innovative financing.

9. UNDP continued its efforts to engage the private sector as an active partner for human development. The Programme was a key partner in the United Nations Global Compact. It supported and facilitated local Global Compact country networks

that brought together local businesses with civil society, academia and Governments to discuss concerns related to human rights, the environment, labour standards, anti-corruption measures and development. UNDP hosted the secretariat of the "Business Call to Action" and supported the development of inclusive markets.

10. The impacts of climate change threaten a range of human rights, such as the right to water and food. Poor households are the most vulnerable, as they are the least able to recover from climate stresses. Furthermore, their economic growth is highly dependent on climate-sensitive sectors. As regards linkages between gender and climate change, many poor communities depend on women for food production, who may have to walk further to collect food and water, build embankments to prevent flooding and take on more non-agricultural work to mitigate and adapt to climate risks. These trade-offs reinforce wider inequalities in economic and social advancement.

11. Access to reliable modern energy services directly affects incomes, gender equality, health, education and environmental sustainability. Energy consumption patterns, in terms of access, both qualitatively and quantitatively, are highly disproportionate on either side of the development divide — North and South, rich and poor, urban and rural, men and women. In this area, UNDP had been leading efforts to expand access to 1.5 billion people who lived without electricity and 3 billion people who still relied on traditional biomass and coal. Disproportionate access to modern energy services restrained human development directly or indirectly, leading to deprivation of human rights, such as the rights to food, health, shelter and decent working conditions, and bore particular implications for women and children. Over 2 million people, mainly women and children, succumb to premature death annually owing to indoor air pollution related to the use of solid biomass for cooking and heating. UNDP responded to these challenges by mainstreaming energy access in development strategies, mobilizing financing and strengthening service delivery.

12. On migration and development, the Programme worked towards the establishment of a basic framework of advisory support for Governments willing to respond to migration in the context of their national development strategies. UNDP also led efforts in the implementation of the European Commission-United Nations Joint Migration and Development Initiative, in partnership with other United Nations agencies and international organizations, which supported cooperation between private and public stakeholders and the capacity development of civil society and local institutions.

World Intellectual Property Organization

13. The World Intellectual Property Organization (WIPO) provided information on the activities it had undertaken with the view to promoting fair globalization and sustainable development. WIPO expressed its commitment to ensuring that all countries benefit from intellectual property in their economic, social and cultural development. One of the strategic objectives for WIPO is the empowerment of developing countries and the least developed countries in using the intellectual property system in an informed and effective way. This requires responding to the challenges of intellectual property policy coherence with areas as diverse as innovation promotion, market regulation, health, trade, environment, food security

and access to knowledge; creating appropriate legislative and regulatory frameworks; technical infrastructure; and providing human capacity to participate in the growing collaboration in knowledge production and use.

14. In the general framework of facilitating the use of intellectual property for development, WIPO technical assistance activities focused on: (a) the development of national intellectual and innovation strategies, a cross-disciplinary package of policy elements and recommended action plans to boost innovation performance; (b) assistance in establishing development-oriented regulatory frameworks in the form of legislation and policy; (c) developing institutional and technical infrastructure; and (d) capacity-building. In this context, WIPO has been providing legal advice, undertaking advisory and outreach missions on intellectual property laws and organizing national, regional and international seminars and workshops on flexibilities and public policies in the patent field.

15. In the area of innovation and technology transfer, WIPO technical assistance and capacity-building work is based on a practical application of intellectual property systems to economic and social development. This work included technical assistance in conducting national intellectual property audits within the framework of national development objectives; technical advice and capacity-building in the establishment and enhancement of intellectual property management and innovation support infrastructure; and professional training.

16. The Development Agenda for WIPO was an important initiative, which promised to remove the impediments in the use of the intellectual property system and had the potential to introduce significant changes by integrating the development dimension into the system, which could then fulfil its role as a catalyst for improvements in innovation, creativity and technology transfer. The recommendations of the Development Agenda consisted of various elements, including human rights dimensions. In implementing those recommendations, WIPO had taken a project-based approach. Several projects approved by Member States were intended to serve as a catalyst to development through capacity-building in the use of appropriate technology-specific information and developing tools for access to patent information in developing countries and least developed countries.

17. At the core of the Millennium Development Goals proclamation are issues related to sustainable development and the respect for and promotion of human rights. Human rights therefore, had become intrinsically linked to the attainment of economic, social and cultural development. Access to medicines and achieving Goals 4, 5, 6 and 8 were at the core of the development-oriented intellectual property system that WIPO strove to foster. The intellectual property system, particularly the patent system, could play a positive role in reducing the cost of essential drugs and providing the technical base for countries to produce their own much needed medications.

18. Various recommendations of the Development Agenda addressed the issue of national and regional capacities to deal with public policy concerns such as public health within the framework of the intellectual property system, especially patents. WIPO initiatives in this field allowed countries to gain access to millions of scientific and technical data, which can assist in the formulation of proper and all-encompassing public health policies and programmes.

19. WIPO was an active contributor to the international policy debate on intellectual property and public health and in facilitating the exchange of factual data and experiences and policy inputs through cooperation with international organizations, such as the World Health Organization, the World Trade Organization, the United Nations Conference on Trade and Development and with regional and national organizations, as well as with non-governmental organizations, the private sector and academia. This was an important aspect of access to medicines and encouraged open innovation systems in public health. This had included active engagement with the World Health Organization on the development and implementation of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property.

20. On climate change, WIPO worked to facilitate the transfer of and access to appropriate technologies related to climate change mitigation and adaptation. WIPO was engaged in a number of global policy forums geared towards finding ways in which intellectual property could be used to accelerate investment in innovative solutions and their transfer and diffusion.

World Trade Organization

21. The World Trade Organization (WTO) stressed transparency, coherence and equity as the driving forces behind the multilateral trading system, as they were in the human rights mechanisms. Opening international trade could lead to growth and development, creating efficiency for raising standards of living, and thereby contribute to the actual implementation of proclaimed rights. This presupposed that existing rules were global, just and reflective of all that adhered to them. The set of rules and agreements that collectively formed the current multilateral trading system did not fully adhere to the aforementioned condition, nor did it entirely reflect the changing composition and demands that WTO faced in today's globalized world. The need for review and change continued to be the most important reasons for which WTO membership had launched the Doha Round of negotiations in 2001. The strongest drivers of that conviction were the changing economic, social and environmental circumstances and a shared need to address the development and poverty challenges dominating the international agenda.

22. In 2001, WTO member States had been determined to maintain the process of reform and liberalization of trade policies, to continue to ensure that the system played its full part in promoting recovery, growth and development. They had sought to place the needs and interests of developing countries and least developed countries at the heart of the WTO system and to adapt and reform the multilateral trading system and functions so that the majority of its membership secured a larger share in the growth of world trade, resonating with their economic and development needs.

23. That change in direction was reflected in the daily operations of WTO, as well as in the negotiating positions of its members. Providing guaranteed market access, reforming the rules in favour of developing countries and building demand-driven and sustainable technical assistance and capacity-building programmes were examples of the central role that development played in the operations of WTO. Much work was still needed to advance the position of poorer countries and this was clearly reflected in Goal 8 of the Millennium Development Goals, making WTO and

the trading system it represented an integral part of a global partnership much needed for development.

24. The economic and financial crisis continued to be a threat for the longer term stability of the trading system. The much-awaited successful conclusion of Doha negotiations was all the harder to achieve when economic uncertainty still reigned. Given the explicit negative impact of the crisis on poorer economies, the international community needed to act together to help least developed countries find the margin of comfort to absorb that impact. Many developing countries did not have the means for fiscal stimulus packages to reboot their economies, nor did they have the resources to subsidize their agriculture or business communities in weathering the crisis. The crisis had also affected the availability of liquidity and subsequent supply of trade credit at sufficient amounts and affordable rates. There was still need to address the trade financing gap, while more needed to be done to establish stable long-term productive capacity and infrastructural networks in developing countries.

25. Over the years, trade openness had contributed considerably to enhancing developing countries' participation in the global economy. Their exports had almost doubled between 2000 and 2008, while world exports had increased by 50 per cent according to WTO secretariat estimates. That steady growth has been jeopardized by the financial and economic crisis, and could only be neutralized if the world economy continued its recovery path and emerged from recession. Trade and investment had an important role to play in anchoring economic recovery in job creation and poverty alleviation. WTO had highlighted the current danger of protectionism and restrictions and stated that countries had resisted the pressure to use trade protectionism and investment restrictions at times of economic downturn. Although the most recent WTO report had revealed that the number and coverage of trade restricting measures was declining, there was a risk of accumulation of measures taken since the outbreak of the crisis, as there appeared to be a relatively slow pace in their removal.

26. Given the identified role of trade and investment in economic recovery and progress, and WTO rules and disciplines safeguarding against protectionism, member States were strongly urged to advance the conclusion of the Doha Development Agenda. Shifting gears from fighting protectionism to making the case for the Doha negotiations was an important step towards an ambitious, balanced and development-oriented conclusion.

27. Aid for Trade was a stimulus that many developing countries and least developed countries needed to remain competitive and to use trade as a tool for poverty reduction. It would help them build up supply-side capacity and strengthen trade-related infrastructure. Assistance provided through Aid for Trade was an important indicator to measure progress in achieving Millennium Development Goal 8. There was a continuous need to build upon the progress made in the regional dimension of Aid for Trade and intensify the work of WTO and its regional partners, including regional development banks, bilateral donors and the private sectors. The third Global Review of Aid for Trade, to be held in 2011, and the conclusion of the Doha Round should contribute to reinvigorating multilateral cooperation. Strengthening the multilateral trading system was an important element of progress towards more efficient global governance and thus, sustainable realization of human rights. Globalization had been and could continue to be a source of welfare creation

as long as the international community stood ready to harness and regulate it by policy and law.

IV. Recommendations

28. International organizations should work towards enhanced policy coherence and coordination in order to make progress towards the Millennium Development Goals. Development strategies should be oriented not only towards economic growth but also more equitable, inclusive and just societies, where the benefits of globalization were shared equally by all.

29. States and development partners should properly identify and address the needs of the poor and the most vulnerable, and avoid policies and discriminatory practices that might further deteriorate their livelihood, and delay progress towards the Millennium Development Goals, especially during times of crises. Well-targeted and sustainable social protection programmes need to be implemented to tackle the adverse effects of recent crises.

30. States, acting both individually and collectively, should work towards creating an environment conducive to development and the equal sharing of benefits and costs when they formulate and implement policies and promote good governance at both the national and global levels.

31. The international community should ensure better and more effective regulation of the global financial system to prevent crises that hamper the achievement of the Millennium Development Goals. International financial institutions and States should promote debt sustainability, including through debt alleviation initiatives.

32. States should work towards a development-oriented outcome of the Doha Round of negotiations in order to ensure an open and fairer multilateral trading system, which guarantees respect for human rights.

33. The international community should take into consideration the particularities and vulnerabilities of the least developed countries, small island developing States and landlocked developing countries, in the design and implementation of development strategies. In recognition of the fact that there is no one-size-fits-all development model, the international community should support these countries in reaching the Millennium Development Goals and better integrating in the global economy through the implementation of development policies that best address their special needs.

34. All businesses enterprises — national and transnational, large and small — may have an adverse impact on human rights. Coherent and concerted approaches, instead of ad hoc actions by States and firms, are needed to more effectively prevent or address business-related human rights abuses. In this respect, States and businesses are encouraged to observe the principles laid down in the "protect, respect and remedy" framework developed by the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises. This framework can assist all social actors — Governments, companies, and civil society — to reduce the adverse human rights consequences of business activities.